

Minutes
Carlisle Planning Board
March 15, 1968

Present were; H. Hosmer R. McAllister T. Herndon - Clerk
 C. Evans F. Smith
 J. Maccone D Spaulding

Mr. Hosmer opened the meeting by explaining to the audience what had transpired at the Executive Session with regard to the DeBonis subdivision, with respect to the Board's disapproval and suggested modifications, along with the Board's action in arranging a land swap at no cost to the developer. He also mentioned that the Board had, at Mr. DeBonis request, granted a 30 day extension for the consideration of the subdivision. Mr. DeBonis and Mr. Skane, his engineer, were present and opened the discussion on their proposed modifications by stating that Maynide Inc. was negotiating with the Mass. Land Corp. to purchase the lot over which the proposed northerly access road would run. Mr. DeBonis mentioned that Messers Bickford and Simonds had been more than fair with him the negotiations, and that he was very pleased with their offer. Mr. Smith noted his opinion that Mr. DeBonis had been equally fair with the Board and Town in his dealings. Mr. DeBonis went on to comment that he hoped that he and the Board could arrive at a mutually agreeable arrangement, without comprising any rights on either side. Mr. Hosmer replied that he was uncertain as to what Mr. DeBonis meant, and that the Board hoped that it could act reasonably quickly as it had held the developer up for an undue length of time.

Mr. DeBonis went on to explain his proposal, which was to come in the Stearns St. - Baldwin Road intersection vicinity, swing down through his subdivision and then back out on to Baldwin Road at the same location that he had originally proposed to bring the subdivision road in. He noted that his proposed purchase of the Mass. Land Corp. lot would be a help to him, by giving him an additional lot in his development. He noted that the natural grade at the northerly end was approximately 12%, but that he would cut and fill as necessary so as not to exceed the Board's 10% grade requirement. He also pointed out that, due to the rearrangement of lot lines, the easement out the westerly side of his property was quite close to where the Board had suggested that it should be. Mr. Hosmer commented that this seemed to be a very good arrangement, since the development road would undoubtedly be superior in all respects to the widened Baldwin Road solution. Mr. DeBonis then explained that he had discussed Mr. Perley's suggested drainage modifications with Mr. Perley, and that he had also gone over the Board's rules and regulations carefully. He felt that the Board did not specifically require culverts, manholes, catch basins and the like, as Mr. Perley had recommended, and that the land and road would be properly drained without such an elaborate system. He also felt that the sight line suggested for the area within the curve at the northerly end of the road was not necessary, since the cutting of so many trees would produce a poor appearance and the curve was large enough not to require such a sight line.

Mr. Bobby Buchanan asked, from the audience, whether or not Mr. DeBonis would construct his road from the northerly end first, or would he begin his road construction on the southerly part of Baldwin Road. Mr. Buchanan noted that, were the development to be constructed from the southerly end northward, it would necessitate much traffic of heavy equipment over the narrowest part of Baldwin Road, and since that part of Baldwin Road was falling to pieces such traffic would only serve to accelerate the disintegration of the roadway. However, if the development road were built in from the north end, no heavy traffic would have to pass over the bad part of Baldwin Road. Mr. Buchanan also asked if the development road would have to be built in its entirety before building

permits could be granted. Mr. Hosmer replied that a suitable road had to be built to a lot prior to granting a permit. Mr. DeBonis commented that he planned to build the entire road all at once, and did not propose to do it piecemeal. He noted that he didn't know exactly where or how such construction would begin, as he planned to contract out such work and the contractor would be responsible for such details. Mr. Hosmer replied that since the southern part of Baldwin Road was in poor condition, the Board may feel that the subdivision road construction should start at the northerly end, and proceed southerly through the development. He noted that such a provision might be put into the conditional approval agreement. Mr. Hosmer asked Mr. DeBonis whether or not he proposed to post a bond for the subdivision, and Mr. DeBonis replied that he preferred not to, but rather to have a conditional approval agreement.

Mr. DeBonis then asked the Board if there would be any objection to his going to Mr. Perley with Mr. Skane as his engineering representative, and trying to work out a drainage plan which would be acceptable to both the Board's engineering consultant and himself. Mr. Hosmer asked if Mr. DeBonis had any objections to the easements which were requested, and Mr. DeBonis said that he did not, although he was not sure that they are absolutely necessary since he thought that drainage easements were implied in the acceptance and construction of a drainage system. Mr. Hosmer noted that the Board desired easements to forestall any disputes which might arise between property owners and the Town in the future. Mr. Hosmer then asked the Board if the suggestion that Mr. DeBonis and Mr. Perley should work out the drainage engineering details would be satisfactory, and members agreed that it would.

Mr. Hosmer then asked the Board if there were any further criticisms of the road alignment as presented, since he felt that the Board should definitely indicate to Mr. DeBonis whether or not it felt that the layout was acceptable. Mr. Donald Cochran asked, from the audience, if the Board planned to have an adjourned public hearing on drainage matters. He recalled that the Board had indicated at its public hearing on the disapproved plan that it would have an adjourned hearing later once the plan had been reviewed. Mr. Hosmer asked the Clerk to read from the minutes of the hearing, since he did not recall suggesting an adjourned hearing on drainage matters. The Clerk read from paragraph 1, page 6 of the minutes of the public hearing, dated Feb. 12, 1968, in which it was recorded that the Chairman had indicated the appropriateness of an adjourned hearing if the widening of Baldwin Road were approved, since it was obvious that such widening would have to be done in a manner which would least affect the abutters, and the Board would seek the abutters' comments on such matters. Mr. Hosmer noted that the Baldwin Road widening had been disapproved, and asked the Board its feeling as to whether an adjourned or reconvened hearing would be necessary for the revised plan. The members of the Board felt that such a hearing would not be necessary, but pointed out to the audience that it hoped the public would attend its subsequent meeting on this subject, in order that the Board could have the benefit of whatever suggestions or comments any interested persons might have.

Mr. Hosmer asked if Mr. DeBonis and his engineer planned to curve the northerly access road to more or less aim it in the Stearns St. direction, and also if sufficient radius was contemplated where the northerly road intersected Baldwin Road. Mr. DeBonis replied that he would make these provisions, as the Board had suggested previously, and Mr. Hosmer noted that

it would be good if the pavement were shown in the final plan in that vicinity. Then Mr. Hosmer inquired about the radius of the curve where the northerly access road turns in a southerly direction into the main part of the development. Mr. Skane indicated that he proposed a 150 foot centerline radius for this road. The Clerk noted that this is below the Board's requirements, and the Board would have to waive that regulation, if it planned to accept the proposed radius. He also noted that Mr. Perley had suggested a curve having a 190 foot centerline radius, as being a minimum requirement. Mr. Hosmer commented that the Board should seriously consider this matter. Mr. Evans felt that the 150 foot figure was probably adequate.

Mr. Hosmer then summarized, noting that the sense of the meeting was that the location of the proposed road as submitted would be acceptable to the Board, subject to the working out of the drainage details. He further noted that the proposed road must be constructed from the northerly end to the house lots before building permits could be issued. Mr. DeBonis asked when he could meet again with the Board, and it was decided to continue the matter at the next regular meeting on April 8, 1968. Mr. DeBonis then asked if he could start work prior to approval of the definitive plan on clearing trees along the path of the proposed road, and proceed with the rough construction of the road. Mr. Hosmer warned him that he certainly could do whatever he wished on his own property, but that he would be taking a risk by so doing. If the Board were to insist on modifications to the final plan the developer might well lose whatever time and money that had been invested prior to such changes. Mr. Evans observed that probably the developer could not remove any earth from the subdivision, but could only move it around on his own property. Mr. DeBonis said that he fully understood the risks which he assumed, and then asked if the Board would release lots for building prior to putting the hot topping on the road. He explained that that the cement trucks necessary for foundations were very heavy, and it would be better from his and the Town's point of view if the final road work were not done until such heavy trucking operations had been completed. Mr. Hosmer said that he thought this could be done, but that a bond would certainly be required to cover the costs of completing such work. Mr. DeBonis replied that he would be willing to put up a bond for that part of the work.

Mr. John Ogden of Bedford, and Mr. Richard Bates, his real estate representative then presented a preliminary plan for 12 lots on land of Banwell off of North Road. The Board looked at the plan, particularly in relation to whether any Benjamin-proposed roads crossed it, and the alignment of the proposed subdivision road itself. Mr. Smith noted that he would like to see the subdivision boundary drawn in on a town map, and Mr. Ogden roughed in the perimeter for the Board. Mr. Macone remarked that it would be necessary to have the full name of the owner of record on the definitive plan, as well as all of the boundaries marked out. Mr. Hosmer asked Mr. Ogden if he planned to round the corners of the proposed road where it entered North Road, and Mr. Ogden said that he certainly would. The Board then decided that the preliminary plan looked alright on paper, and asked Mr. Ogden to proceed with the marking of his proposed road, so that the members could walk the property to better assess the layout. Mr. Ogden inquired when the Board walk the land and Mr. Hosmer said that as soon as weather conditions permitted, the Board would contact Mr. Ogden and arrange a specific date.

A question was raised by Mrs. Kenneth Harte from the audience as to the Board's interest in the Benjamin-proposed road suggestions relative to new subdivisions such as Mr. Ogden's. The Chairman explained to her that the Board had been using the Benjamin Report as a guideline since its publication, and had acted on several of the suggestions incorporated in that report, as well as referring to it regarding the future road system proposals for the Town.

The Board then took up the Historical District Study Committee report, since it was thought that the Board might well take a position on the article (article 31) which that committee was sponsoring in the 1968 Town Warrant. The Clerk then read the committee's conclusions. Mr. McAllister spoke to the subject of an Historical District as proposed by the Committee, and expressed his strong feelings that there were no buildings of historical or architectural distinction near the center of Carlisle. He noted that many residences in town were much more appropriate for inclusion in a Historic District than were the buildings in the center, and felt that the district as proposed for the center was not warranted. Mr. McAllister felt that it was undemocratic to restrict 5% of the townspeople (those who owned the buildings within the proposed Historical District) by a vote of the other 95% of the citizens who did not live in the proposed District, and who would be unaffected by such a District. Mr. Hosmer commented that the Board had considered this matter some 3 to 5 years ago, and he had agreed with Mr. McAllister's point of view at that time. He went on to say that he was now quite persuaded that it would be good to have such a District, and that even though no single building within the proposed District was outstanding architecturally, the sum total of all the structures composed a very pleasant and attractive whole, which was representative of an early New England town and therefore worthy of preservation. Mr. Spaulding asked what such a District actually regulated, and whether its main function was to control such matters as signs and additions to buildings. Mr. McAllister replied that such District Committees actually had control of all of the visible architectural details, and that he felt this could impede basic improvements to buildings. Mr. Smith read excerpts from the Committee's report, citing number of buildings within the proposed District, and when they were constructed. He commented that he felt such structures should certainly be retained if possible. Mr. Hosmer felt that the Board should definitely take a position on the Warrant Article, noting that the Board would be supporting the expenditure of funds to continue the study, and not the formation of a Historical District. Mr. Macone felt that such District Commissions were unduly restrictive on the owners of buildings lying within them, and that he could not support the formation of such a zone in Carlisle. Mr. Smith noted that the Town had approved the initial study, and that the Board should support carrying the study to its conclusion by voting the requested funds. By a vote of 5 to 2, the Board voted to support Article 31.

The Board decided to pass over discussion of changes to its Rules and Regulations, and the Clerk gave each member a copy of further suggestions made, at the Clerk's request, by Mr. Perley.

The Clerk then presented a proposal that the Board begin working on the establishment of an ad hoc land acquisition committee, in order that the entire problem could be thoroughly researched, with the object of formulating an appropriate plan to be presented to the Town through hearings and possibly Warrant Articles to implement a land purchase program. The Clerk felt that a separate committee, with the Planning Board acting as its directorate, would be required, considering the scope of the subject and the amount of time which would be needed for a thorough investigation. Mr. Evans wondered if the Long Range Capital Outlay Committee might be the proper group to carry out or supervise such study. Mr. Hosmer felt that the L.R.C.O.C. was primarily concerned with problems of a fiscal planning nature, such as when the Town should plan on outlay for buildings, equipment and the like. The Board felt that land acquisition was an appropriate matter and asked the Clerk to prepare a tentative outline to define the scope of a land acquisition committee's duties, and perhaps suggest the composition of such a committee.

Mr. Evans then inquired if the Board planned to take a position on the Articles in the 1968 Town Meeting which concerned street acceptance. Mr. Hosmer noted that the Board had not done so in the past, and to do so now would involve a policy change which should be carefully considered. Mr. Evans commented on a problem of ice plugging the pipe from the J & E development on Concord Road where it emptied into the pond. He stated that trapped water was squirting out of some small holes in a manhole cover on Concord Road, creating a possible hazard, since such pressure under the cover could easily dislodge it if a truck were to pass over it. Then, since the road had standing water on it, the resulting open hole could not be seen and could cause a serious accident. Mr. Evans also remarked on the existence of a free-running spring near or on the right of way on the road going into the J & E development. He felt that this could cause road icing conditions in the winter which would be dangerous. Mr. Hosmer said that since the installation of the drainage pipe on Concord Road was done at the request of the Selectmen, and was on a Town Way, that particular part of the J & E complex lay outside of the purview of the Planning Board. He noted that the Board's engineering consultant had checked and approved the adequacy of the pipe from a technical point of view. Mr. Hosmer felt that were the Board to speak at Town Meeting on acceptance of ways, it should have the opinion of a technically competent consultant, and that it had relied on the Highway Surveyor in the past to perform this function. Mr. Macene noted that Mr. Clark would not be able to attend the Town Meeting, and Mr. Hosmer called D. Bickford to see what the Board of Selectmen were planning to do. Mr. Bickford said that Mr. Clark's recommendations would be presented by the Selectmen in his absence. A question as to whether the J & E group might withdraw their article was left unanswered, since no one knew if they had been contacted in this regard.

Mr. Evans then asked whether the Board had ever approved the widening of Orchard Acres Road from 12 feet to its present 24 feet. Mr. Hosmer thought that it had not, and Mr. McAllister said that he had not gone through the formalities of seeking specific approval for his widening of that road's surface. Mr. Evans felt that such approval should have been sought by the developer. Mr. Hosmer asked the Board if it desired that these facts be stated at the Town Meeting, and the Board agreed that they should.

The Board then went into Executive Session, and elected Mr. Hosmer as its chairman, Mr. Herndon as clerk, and Mr. Spaulding as treasurer. It was decided not to elect a vice chairman. Also Mr. Herndon and Mr. Evans were appointed as the Board's representatives to the Long Range Capital Outlay Committee.

Respectfully submitted,

Terry Herndon

The Planning Board will meet in the Selectmen's Office on Friday
March 15, at 8:00 p.m.

The agenda will include:

1. Continuation of discussion of the DeBonis subdivision.
2. Presentation of a Preliminary Plan by John Ogden of Bedford.
3. Discussion of the Historical District Commission's Report.
4. Further review of changes in the Board's Rules and Regulations.
5. Possibly we will have time to look more carefully at Joe Macene's By-Pass plans.
6. A brief report on land acquisition matters by T. Herndon.
7. Election of Planning Board officers for 1968.
8. Planning Board appointments to the Long Term Capital Outlay Committee for 1968.